



**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS RODRIGUEZ,

Defendant.

3:13-CR-010-RCJ-(VPC)

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on March 25, 2013, defendant CARLOS RODRIGUEZ pled guilty to Count One of a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Plea Memorandum, ECF No. 16.

This Court finds defendant CARLOS RODRIGUEZ agreed to the forfeiture of the property set forth in the Plea Memorandum and in the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Plea Memorandum, ECF No. 16; Change of Plea Minutes, ECF No. 19.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Memorandum and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant CARLOS RODRIGUEZ pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1           1.     Smith & Wesson, .40 caliber semiautomatic pistol, serial number HED0724,
- 2                     magazine and ammunition; and
- 3           2.     any and all ammunition ("property").

4           This Court finds the United States of America is now entitled to, and should, reduce the  
5     aforementioned property to the possession of the United States of America.

6           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7     United States of America should seize the aforementioned property.

8           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9     CARLOS RODRIGUEZ in the aforementioned property is forfeited and is vested in the United  
10    States of America and shall be safely held by the United States of America until further order of  
11    the Court.

12          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
13    shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
14    website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
15    the time under the applicable statute when a petition contesting the forfeiture must be filed, and  
16    state the name and contact information for the government attorney to be served with the petition,  
17    pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
19    with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South  
20    Virginia Street, 3<sup>rd</sup> Floor, Reno, NV 89501.

21          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
22    shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
23    following address at the time of filing:

24                     Greg Addington  
25                     Assistant United States Attorney  
                      100 West Liberty Street, Suite 600  
26                     Reno, NV 89501

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 5<sup>th</sup> day of June, 2013.

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UNITED STATES DISTRICT JUDGE